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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Karl-Heinz JENAK et al ATTY. DOC. NO.: P05,0104
SERIAL NO.: 10/529,985
FILED: March 31, 2005
INVENTION: "CLEANING UNIT FOR CLEANING A CONVEYOR BELT"

MAIL STOP PCT


Commissioner for Patents,
P. O. Box 1450
Alexandria, Virginia 22313-1450

**SUBMITTAL OF TRANSLATION OF INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

S I R:

Please find attached an English Translation of the International Preliminary
Examination Report for the above-identified PCT application.

Respectfully submitted,



(Reg. No. 27,841)

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United
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DATE: June 14, 2005



BRETT A. VALIQUET

16 JUN 2005

From the INTERNATIONAL BUREAU

PCTNOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

(PCT Rule 72.2)

To:

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ALLEMAGNE

EINGEGANGEN

02. Juni 2005

Erled.

Date of mailing (<i>day/month/year</i>) 26 May 2005 (26.05.2005)	
Applicant's or agent's file reference 2002-1010 P	IMPORTANT NOTIFICATION
International application No. PCT/EP2003/011263	International filing date (<i>day/month/year</i>) 10 October 2003 (10.10.2003)
Applicant OCE PRINTING SYSTEMS GMBH et al	

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

None

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

EP, JP, US

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
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Translation

PATENT COOPERATION TREATY

PCT/EP2003/011263



PCT

Rec'd PCT/PTO

16 JUN 2005

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2002-1010 P	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2003/011263	International filing date (day/month/year) 10 October 2003 (10.10.2003)	Priority date (day/month/year) 10 October 2002 (10.10.2002)
International Patent Classification (IPC) or national classification and IPC G03G 21/00		
Applicant OCE PRINTING SYSTEMS GMBH		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
 - a. ☒ (sent to the applicant and to the International Bureau) a total of 9 sheets, as follows:
 - ☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Box No. I | Basis of the report |
| <input type="checkbox"/> Box No. II | Priority |
| <input type="checkbox"/> Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input checked="" type="checkbox"/> Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> Box No. VI | Certain documents cited |
| <input type="checkbox"/> Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> Box No. VIII | Certain observations on the international application |

Date of submission of the demand 06 May 2004 (06.05.2004)	Date of completion of this report 15 February 2005 (15.02.2005)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2003/011263

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:
- ☐ international search (under Rules 12.3 and 23.1(b))
- ☐ publication of the international application (under Rule 12.4)
- ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☐ The international application as originally filed/furnished
- ☒ the description:
- pages _____ 1,3, 6-13 _____, as originally filed/furnished
- pages* _____ 2, 2a, 4, 5 _____ received by this Authority on _____ 19 November 2004 (19.11.2004)
- pages* _____ received by this Authority on _____
- ☒ the claims:
- pages _____, as originally filed/furnished
- pages* _____, as amended (together with any statement) under Article 19
- pages* _____ 1-18, 22-24 _____ received by this Authority on _____ 19 November 2004 (19.11.2004)
- pages* _____ 19-21 _____ received by this Authority on _____ 26 January 2005 (26.01.2005)
- ☒ the drawings:
- pages _____ 1/4-4/4 _____, as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2003/011263

Box No. IV Lack of unity of invention

1. ☐ In response to the invitation to restrict or pay additional fees the applicant has:
- ☒ restricted the claims.
 - ☐ paid additional fees.
 - ☐ paid additional fees under protest.
 - ☐ neither restricted nor paid additional fees.
2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is
- ☒ complied with.
 - ☐ not complied with for the following reasons:
4. Consequently, this report has been established in respect of the following parts of the international application:
- ☒ all parts.
 - ☐ the parts relating to claims Nos. _____

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP 03/11263

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-24	YES
	Claims		NO
Inventive step (IS)	Claims	1-24	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-24	YES
	Claims		NO

2. Citations and explanations

1. Reference is made to the following documents:

D1: DE 198 31 786 A1

D2: JP 03 200 191

D3: EP 0 691 594 A1

D5: US 4 730 205

2. D1 is considered the prior art closest to the subject matter of claims 1, 19 and 22. D1 discloses (column 5, line 42, to column 9, line 41; figures 1 and 2) a cleaning unit 16 for a conveyer belt of an electrographic printer or copier, with a scraper element 18 and a toner collection container (column 12, line 59, to column 13, line 3). D1 also discloses a corresponding method.
3. The subject matter of claim 1 (cleaning unit) and claim 22 (cleaning method) therefore differs from that of D1 in that the collection container can be removed from the copier, it being possible to close the opening in the toner collection container through which the scraped-off toner falls thereinto, in the printer or copier. Therefore the subject matter of claims 1 and 22 is novel (PCT Article

33(2)).

4. The subject matter of claim 19 (use of a scraper element) therefore differs from that of D1 in that the scraper element is made of ceramic. Thus the subject matter of claim 19 is novel (PCT Article 33(2)).
5. The problem addressed by the present invention can thus be considered that of efficiently cleaning the conveyor belt for conveying recording media.

For the following reasons, the solution to this problem proposed in claims 1, 19 and 22 of the present application involves an inventive step (PCT Article 33(3)): Although a closable toner collection container is known from D5 (figure 2), there is nothing to suggest combining such a collection container with a cleaning unit as per D1. In particular, the closable toner collection container of D5 cannot be closed inside the printer. The closing of the container in the printer enables the toner collected in the container to be removed from the printer without spillage. Such a combination is also not suggested by D2 or D3.

As concerns claim 19, although a ceramic scraper element is known from D3 (abstract), its use for cleaning a conveyor belt is not. The subjects of claims 1 and 19 are linked.

6. Claims 2 to 18, 20, 21 and 23, 24 are dependent on claims 1, 19 and 22, respectively, and hence likewise meet the PCT novelty and inventive step requirements.